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Order Regarding Motion for Sentence Reduction

UNITED STATES DISTRICT COURT

NORTHERN

District of NEW YORK

UNITED STATES OF AMERICA

ORDER AND AMENDED JUDGMENT
REGARDING MOTION FOR SENTENCE
REDUCTION PURSUANT TO 18 U.S.C. § 3582(c)(2)

V.

JUNIOR FREDERICK

Case Number: 3:97-cr-146-006 (TJM)

USM Number: 48440-053

Date of Previous Judgment: April 7, 1998
(Use Date of Last Amended Judgment if Applicable)Lisa A. Peebles, Esq.
Defendant's Attorney

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 151 months is reduced to 121 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 34Amended Offense Level: 32Criminal History Category: ICriminal History Category: IPrevious Guideline Range: 151 to 188 monthsAmended Guideline Range: 121 to 151 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

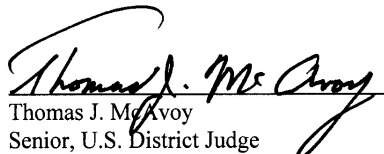
☐ Other (explain): _____

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated April 7, 1998 shall remain in effect.

IT IS SO ORDERED.

March 14, 2008


Thomas J. McAvoy
Senior, U.S. District Judge